

from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,  
July 19, 1961.

To the Senate of the Fifty-seventh Legislature, First Called Session:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be members of the State Board of Examiners in the Basic Sciences, for six-year terms to expire July 23, 1967: Dr. Henry B. Hardt of Fort Worth, Tarrant County; Dr. Eb C. Girvin of Georgetown, Williamson County.

To be a member and chairman of the State Board of Control, for a six-year term to expire August 31, 1967: E. E. McAdams of Austin, Travis County.

To be Firemen's Pension Commissioner, for a two-year term to expire July 1, 1963: Mrs. Marie Hudson of Austin, Travis County.

To be Rio Grande Compact Commissioner, for a two-year term to expire July 16, 1963: Louis A. Scott of El Paso, El Paso County.

Respectfully submitted,  
PRICE DANIEL,  
Governor of Texas.

#### Senate Bill 12 Referred

The President Pro Tempore announced that S. B. No. 12, which was introduced and read first time on Thursday, July 13, 1961, was referred to the Committee on State Affairs.

#### Memorial Resolution

S. R. No. 13—By Senator Willis: Memorial resolution for Mrs. Ninnie L. Baird. Amended by Senator Hardeman to add names of Lieutenant Governor and all Senators as signers.

#### Recess

On motion of Senator Hardeman the Senate at 10:58 o'clock a.m. took recess until 10:30 o'clock a.m. tomorrow.

#### FOURTH DAY

(Continued)

(Thursday, July 20, 1961)

#### After Recess

The Senate met at 10:30 o'clock a.m., and was called to order by the President.

#### Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Schwartz.

Senator Baker was granted leave of absence for today on account of important business on motion of Senator Schwartz.

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Schwartz.

#### House Bill 15 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 15, A bill to be entitled "An Act transferring from net revenues collected pursuant to Articles 702 and 706 of Chapter 7 of H. B. No. 11, Acts of the Fifty-sixth Legislature, Third Called Session, 1959, Chapter 1 (cigarette tax) the sum of \$500,000 to the Legislative Expense Fund; appropriating said sum for the expenses of the Legislature; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following committee amendment to the bill:

Amend H. B. No. 15 by deleting Section 2 and by substituting the following language:

Sec. 2. Out of the sum of Five Hundred Thousand (\$500,000) Dollars transferred to and deposited in the Legislative Expense Fund by Section 1 of this Act, there is hereby appropriated for the purposes authorized by Section 24 of Article III of the Constitution of Texas and for such other expenses of the Legislature as are authorized by Chapter 1 (H. B.

No. 1), Acts 1961, Fifty-seventh Legislature, Regular Session, the amount of \$350,000 to and for the House of Representatives, and the amount of \$150,000 to and for the Senate. Expenditures from the appropriations herein made shall be subject to the provisions and procedures set forth in said Chapter 1, Acts 1961, and such other enactments of the Legislature as may apply.

The committee ammendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 15 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Schwartz
Kazen	Smith
Krueger	Weinert
Lane	Willis

#### Nays—1

Hardeman

#### Absent—Excused

Baker	Rogers
Hudson	Secrest

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Schwartz
Kazen	Smith
Krueger	Weinert
Lane	Willis

#### Nays—1

Hardeman

#### Absent—Excused

Baker	Rogers
Hudson	Secrest

#### Reports of Standing Committees

Senator Reagan by unanimous consent submitted the following reports:

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred H. B. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

REAGAN, Vice-Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Education, to whom was referred S. B. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Vice-Chairman.

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water

and Conservation, to whom was referred S. B. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 18, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 25, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Austin, Texas,  
July 20, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

#### Senate Bill 17 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent S. B. No. 17 was ordered not printed.

#### Senate Bill 29 on First Reading

By unanimous consent the following bill was introduced, read first time and referred to the committee indicated:

By Senator Herring:

S. B. No. 29, A bill to be entitled "An Act directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill; making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency."

To the Committee on Claims.

#### House Bill 16 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 16, A bill to be entitled "An Act amending Subsection (a) of Section 15 of Chapter 179, Acts of the 56th Legislature, Regular Session, 1959, to provide for enforcement of the Water Safety Act by Game Wardens only on Lake Texarkana; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 16 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 16 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Schwartz
Kazen	Smith
Krueger	Weinert
Lane	Willis

#### Nays—1

Hardeman

#### Absent—Excused

Baker	Rogers
Hudson	Secrest

(Senator Creighton in the Chair.)

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Hazlewood
Calhoun	Herring
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Martin
Fuller	Moffett
Gonzalez	Moore

Owen	Roberts
Parkhouse	Schwartz
Patman	Smith
Ratliff	Weinert
Reagan	Willis

#### Nays—1

Hardeman

#### Absent—Excused

Baker	Rogers
Hudson	Secrest

#### Senate Bill 17 on Second Reading

On motion of Senator Kazen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 17, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, to be known as Zapata County Water Control and Improvement District-San Ygnacio; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 17 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Schwartz
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	

#### Absent—Excused

Baker	Rogers
Hudson	Secrest

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Schwartz
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	

## Absent—Excused

Baker	Rogers
Hudson	Secrest

## Senate Bill 10 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 10, A bill to be entitled "An Act creating El Paso County Water Authority, a Conservation Authority under Article XVI, Section 59 of the Constitution comprising certain territory contained within El Paso County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing, transporting, and distributing the same; etc.; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. 10, Sec. 6(a), page 3, line 24 by inserting the following:

"but not"

after the comma between the words county and by on said line 24; and by placing a period after the word condemnation and deleting the remainder of the sentence on lines 24 and 25; and by striking the words "power of eminent domain or power of" in Sec. 6(b) in line 34 of page 3.

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 10 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several times be suspended and that S. B. No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Schwartz
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	

## Absent—Excused

Baker	Rogers
Hudson	Secrest

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Schwartz
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	

**Absent—Excused****Baker  
Hudson****Rogers  
Secrest****Message from the Governor**

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,  
July 20, 1961.

To the Senate of the Fifty-seventh Legislature, First Called Session:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be Pecos River Compact Commissioner, for a two-year term to expire May 27, 1963: J. C. Wilson of Pecos, Reeves County.

Respectfully submitted,  
**PRICE DANIEL,**  
Governor of Texas.

**Welcome Resolutions**

S. R. No. 14—By Senator Crump: Extending welcome to students of Yoe High School of Cameron and teachers.

S. R. No. 15—By Senator Willis: Extending welcome to 4-H Club members of Tarrant County.

S. R. No. 16—By Senators Fuller and Gonzalez: Extending welcome to Mrs. V. L. Beagle and daughter of Nederland.

S. R. No. 17—By Senator Willis: Extending welcome to Mrs. Harry Womack and children of Fort Worth.

**Recess**

On motion of Senator Hardeman the Senate at 11:10 o'clock a.m. took recess until 10:30 o'clock a.m. tomorrow.

**FOURTH DAY**

(Continued)

(Friday, July 21, 1961)

**After Recess**

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

**Message from the Governor**

The following message received from the Governor was read and was

referred to the Committee on Nominations:

Austin, Texas,  
July 21, 1961.

To the Senate of the Fifty-seventh Legislature, First Called Session:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be District Attorney of the Eighteenth Judicial District, effective August 1, 1961, to fill the unexpired term of Glyndon Hague, resigned: Robert M. Mahanay of Cleburne, Johnson County.

Respectfully submitted,  
**PRICE DANIEL,**  
Governor of Texas.

**Message from the House**

Hall of the House of Representatives

Austin, Texas,  
July 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 4, Granting the Harbenito Broadcasting Company permission to sue the State of Texas and the Comptroller of Public Accounts of the State of Texas.

H. C. R. No. 8, Granting permission to Andrew W. Seaman and Emme Lee Seaman to sue the State of Texas and the State Highway Department.

H. C. R. No. 9, Granting permission to Henry Hooper and Gertrude Hooper to sue the State of Texas and the Highway Department of the State of Texas.

H. C. R. No. 11, Granting permission to Quincy Lee and Pat Logan to sue the State Highway Department and the State of Texas.

The House refused to concur in Senate amendments to House Bill No. 15 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House has appointed the following conferees: Cotten, Chairman; Ballman, Dewey, Glass and Trevino.

Respectfully submitted,  
**DOROTHY HALLMAN,**  
Chief Clerk, House of Representatives